



10-20-04
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

AF 12820
\$

In re Application of: DAVID N. MAKINSON et al.

Group Art Unit: 2829

Serial No.: 09/450,890

Examiner: V. Nguyen

Filed: November 29, 1999

Our Customer ID: 22827

For: MODULAR METER CONFIGURATION
AND METHODOLOGY

Our Account No.: 04-1403

Attorney Ref.: OCO-42

Sir:

1. ☒ **NOTICE OF APPEAL:** Pursuant to 37 CFR 1.191, Applicant hereby appeals to the Board of Appeals from the decision dated 04/19/04 of the Examiner twice/finally rejecting claims 16-24, 34-41 and 65-68.
2. ☐ **BRIEF** on appeal in this application pursuant to 37 CFR 1.192 is transmitted herewith in triplicate.
3. ☐ An **ORAL HEARING** is respectfully requested under 37 CFR 1.194 (due within one month after Examiner's Answer).
4. ☐ Reply Brief under 37 CFR 1.193(b) is transmitted herewith in triplicate.
5. ☐ "Small entity" verified statement filed: ☐ herewith ☐ previously.
6. **FEE CALCULATION:**

If box 1 above is X'd enter \$340.00
If box 2 above is X'd enter \$340.00
If box 3 above is X'd enter \$300.00
If box 4 above is X'd enter -0- (no fee)

Fees

\$ 340.00
\$ _____
\$ _____
\$ _____

Petition is hereby made to extend the original due date of 10/19/04 to cover the date of this paper and any enclosure for which the requisite fee is (1 month \$110); (2 months \$430); (3 months \$980); (4 months \$1,530).

Subtotal \$ 980.00
\$ 1320.00

Less any previous extension fee paid since above original due date.

- \$ 980.00
Subtotal \$ 340.00

If "small entity" box 5 above is X'd, enter one-half (1/2 of subtotal and subtract)

- \$ _____
TOTAL FEE \$ 340.00

- ☒ Fee enclosed.
- ☐ Charge fee to our Deposit Account/Order Nos. in the heading hereof (for which purpose one additional copy of this sheet is attached)
- ☐ Fee NOT required since paid in prior appeal in which the Board of Appeals did not render a decision on the merits.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. show in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

Post Office Box 1449
Greenville, SC 29602 USA
Customer ID No.: 22827
Telephone: 864-271-1592
Facsimile: 864-233-7342

By: RICHARD M. MOOSE Reg. No.: 31,226
Signature: Richard M. Moose
Date: October 19, 2004

"Express Mail" - Mailing Label Number EV599452767US
Date of Deposit October 19, 2004

I hereby certify that this paper, papers attached hereto, and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

CHRISTINE P. STANFIELD

(Typed or printed name of person mailing paper or fee)

Christine P. Stanfield
(Signature of person mailing paper or fee)

10/22/2004 09:45:08 09450890

01 FEB 2005